

★ SEP 07 2022 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

SAUL SABINO,

Plaintiff,

- against -

James Ogle, et al.,

Defendants.

Notice Of Motion
In Opposition To
Defendant's Motion
To Dismiss Pursuant To
Rule 12 (b) (1) & (6) of
Fed. R. Civ. Proc.

20-CV-5861(EK)(JR.)

To Honorable Eric R. Komitee, United States District Court Judge

I Saul Sabino affirm under Penalty of Perjury that:

1. I, Saul Sabino am the Plaintiff in the above entitled action and respectfully submit this Affirmation in opposition to Defendant's Motion To Dismiss pursuant to Rule 12(b)(1) and (6) dated August 10th, 2022 and received by Plaintiff on August 18th, 2022.

2. Plaintiff kindly "OBJECTS" to Defendant James Ogle's "ENTIRE" Motion To Dismiss since it's redundant and made in bad faith by Defendant James Ogle's who has made the "same claim(s) for Motion To Dismiss" on November 18, 2021 (see Court Docket Entry 16) and Defendant James Ogle's claim(s) to Dismiss were well opposed by The Plaintiff on November 24, 2021 (see Court Docket Entry 17).

3. This Court on February 09th, 2022 held a "Telephone-Pre-Motion Conference" (see D.E. 18) where Defendant James Ogle's Prior Attorney on the record Mr. David T. Cheng [Assistant Atty. Gen.] had "Conceded" to most of Plaintiff's U.S. Constitutional Violations and place "blame & liability" on Defendant City of New York who has "fail to submit a responsive Pleading or defend". Defendant James Ogle's New Attorney [Mr. Andrew Blancato] was properly not informed.

4. Defendant James Ogle's Motion To Dismiss - Declaration of Andrew Blancato Exhibits were made in bad faith to deceit the Court, for example of this, see Declaration of Andrew Blancato Exhibit D which is "exempt from any redaction requirement" since the record was "not subject to redaction when originally filed" [with Prior Atty. Mr. David T. Cheng] on -

Notice of Motion In Opposition To Defendant's
Motion To Dismiss Pursuant To Rule 12(b)(1) & (6) F
Fed.R. Civ.Proc. . 20-CV-5861 (EK) (JRC)

Violation of Rule 5.2(b) of Fed.R.Civ.Proc. for records
exemptions from redaction requirement. Defendant
James Ogle's "Declaration of Andrew Blancato -
Exhibit D-New York State Parole Revocation Hearing -
Notification dated June 19, 2019" (redacted) "only part"
redacted is the "identification number" provided by
City of New York Department of Correction called a
Book and Case [or B & C No] number that is directly
link to the Person's detention .

In this situation, the reason why Defendant
James Ogle "in bad faith" redacted this grave part
of evidence called Book and Case (B & C) number #: 141-
190-3106 is the Book and Case number "credited 72-
days of [illegal-unconstitutional] detention" by Defendant
City of New York FOIL release to Plaintiff and
"file" with Plaintiff's Amended Complaint dated June 28, 2022 -
Exhibit A page 2 of 2, this creates a "direct participation"
by Defendant James Ogle which he redacted in "bad-
faith to deceit this Court. See attached "unredacted"
NYS Parole Revocation Hearing Notification dated 6/19/2019 -
originally filed by prior Attorney Mr. David T. Cheng. Exhibit.
Defendant James Ogle should be held in contempt.

5. Plaintiff moves this Court to exercise its discretion
and hold a "Telephonic Preliminary Hearing" on Defendant's
"James Ogle's defense regarding his Rule 12(b)(1)(6) which -
Plaintiff Entirely Objects to Each and every claim(s)".
therefore may this Court order pursuant to Rule 12(c) of
Federal Rules of Civil Procedure the above said "Telephonic Pre-
liminary Hearing" or other and further relief as may
be just and proper.

I declare under Penalty of Perjury the foregoing is true and correct.
Dated: August 27, 2022

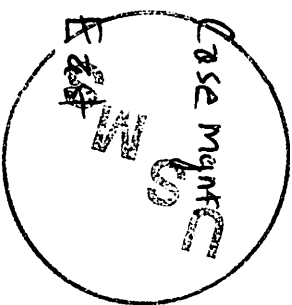
E. Elmhurst, N.Y.
P.S. Extension of Time, if NO Rule 12(c)
Hearing To Finish Motion In -
Opposition. Page 2 of 2.

Saul Sabino
Saul Sabino, Plaintiff
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ATTN: Ms. Alicia Guy, Case Mgmt
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